



Cloch Housing Association

Flexi & TOIL

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| Policy Name | Flexi & TOIL |
| Policy Category | Corporate & Governance |
| Policy Number | 076 |
| Reviewed by | Head of Corporate Services |
| Approved by: | Finance & Corporate Services Sub-Committee |
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| Last Review | January 2020 |
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| Next Review | May 2026 |
| Equalities Impact Assessment Required | To be completed once training has been done. |
| Link to other policies | EVH Conditions of Service |
| Consultation | Yes - Internal |

Introduction

1. This policy covers the rules for staff on how to use the Flexi system and TOIL. Flexi and TOIL are not part of the EVH Terms and Conditions, but rather, compliment the spirit of these terms and conditions and are offered as a benefit to employees. They are designed to allow for the ebb and flow of a modern workplace whilst helping to ensure that the office is adequately staffed during normal office hours.

This Policy links to Business Plan Outcomes:

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| Strategic Priority 18: | Continue to Adopt Modern Working Practices |
| Strategic Priority 20: | Support our People |

1.1 The Flexi System – a brief description

The Flexi System is operated through the time clock system. Staff have core hours where they have to be in attendance unless they have a planned absence or an unplanned absence which is authorised. Out with the core hours, the flexi system allows them to arrive late in the morning or leave early in the evening. Conversely, it allows them to arrive early and leave later. It also allows staff to extend their lunch break. Extra hours worked are “banked” and can be used to take a half day or full day leave or can be used to attend medical appointments, deal with child care and so on.

The process and rules are explained in Section 2.

1.2 TOIL – a brief description

TOIL is “Time off in Lieu” and is given to employees who are required to work out with core hours. Examples of this are where a member of staff has to attend a Board or Sub-Committee Meeting; attends an external meeting held in the evening; attends a community event at the weekend.

TOIL is banked separately from Flexi and is not subject to the same rules as Flexi. For the full rules and procedures, see Section 4.

- 1.3 Whichever method is used, it is the job of the Line Manager to ensure that the system is worked in a fair and consistent manner across all the departments of the Association and it is the job of Corporate Services staff to keep good records and advise managers and staff where there may be issues or to assist staff where they need advice.

2. FLEXI SYSTEM

2.1 Background information

The **office opening hours** are:

- Monday, Tuesday Wednesday – 9am to 5pm
- Thursday – 9am to 6pm
- Friday – 9am to 4pm

The **office core hours** are:

- Monday, Tuesday, Wednesday – 10am to 12pm and 2pm to 4pm
- Thursday – 10am to 12pm and 2pm to 5pm
- Friday – 10am to 12pm and 2pm to 3pm

Staff contracted hours will vary depending whether they are full-time, part-time or job share but the core hours apply relative to their contracted hours.

The Flexi Periods are:

Monday, Tuesday, Wednesday – 8.30am to 10am and 4pm to 5.30pm
Thursday – 8.30am to 10am and 5pm to 6.30pm
Friday – 8.30am to 10am and 3pm to 4.30pm

2.2 Rules of Flexi System

- a. Staff can clock in early or late and clock out early or late in the Flexi Periods.
- b. Staff can extend their lunch hour or take a shorter lunch break. Cloch encourages staff to take the hour break. However, if this is not possible a limit of no less than 45 minutes should be taken. If an individual takes less than 45 minutes for lunch the timeclock will deduct 45 minutes automatically. If an individual doesn't clock at all the system will deduct 45 minutes. Before taking a longer lunch, staff should check with their team that there will be adequate cover.
- c. If they are clocking in or out during the office hours' time period, they should first check with their team that there is adequate cover. For example, they won't be in the office until 9.30am or they want to leave at 4.30pm.
- d. Staff can request to take up to two half days or 1 full day each month if they have banked enough hours to do so. This is pro-rata for part-time staff where they will be able to take ½ day in a month or 1 day every 2

months. If pro-rata staff have a half day one month (eg in April) then they cannot have a full day the following month (May) they need to wait until June to request a full day. They can have 2 consecutive half days though; but again would need a gap of 1 month before being permitted a full day's flexi.

- e. It is not expected that staff will make the request unless in the month where they are accumulating the half or full day flexi. If leave is booked out with the month, then it should be annual leave. If the person can then convert a day's annual leave to flexi within the month leading up to the holiday then the adjustment can be made. Before flexi leave is taken, the staff member must have banked the correct number of hours and follow the rules stated in (d) above. For flexi taken as holiday, the member of staff will not be allowed to put themselves in to negative flexi in order to achieve this.
- f. Staff would not normally be expected to go more than 4 hours in to negative flexi, but we recognise that this might happen due to exceptional circumstances – see below. The 4 hours is a maximum and we would not expect someone to consistently sit at 4 hours during the year.

Exceptional Circumstances:

- i. We require staff to use flexi or annual leave to attend medical appointments during working hours, so it is totally reasonable that a flexi period can be within core hours to allow staff to attend appointments
 - ii. We recognise that child care and care for vulnerable adults can put pressures on staff. If circumstances arise which mean staff have to deal with an urgent unplanned situation, managers will allow flexi to be taken in core hours.
 - iii. We recognise that other exceptional circumstances will arise and in the event that a member of staff knows they are going to have to take flexi in core hours, they should notify their manager or another manager (if their line manager is not available) to let them know or immediately seek out their line manager on return to work.
 - iv. Persistently having to take flexi in core hours will lead to an interview with the line manager. It may be that if a staff member's circumstances have changed and they need a temporary or permanent change in their contracted hours, our Flexible Working Policy will cover this.
- g. If a staff member has banked more than 7 hours flexi at the end of the calendar month they will lose additional hours sitting on their account. A member of staff who consistently loses hours, should speak to their manager about why they are having to work so many hours and

come to some sort of agreement about managing their workload. Cloch H.A. supports an active work/life balance.

- h. At the end of a month, if a staff member is sitting with more than 4 hours negative flexi, where it hasn't been approved by their manager, they will be asked by their manager when they expect to start to bank the hours to bring them back under 4 hours. If there is no effort on the part of the employee, all rights to exceptional circumstances will be removed and the member of staff may be removed from the Flexi System all together.
- i. The CEO reserves the right to withdraw the Flexi System from a member of staff who they think abuses the rules and the principles behind them.
- j. The time clock system is maintained on a daily basis by the member of staff and the Corporate Services team can help with corrections.
- k. Managers must ensure they monitor staff cover, staff flexi banked and negative flexi and flexi requested and taken. They can do this by checking an individual staff member's time clock. A report is issued to everyone who is an administrator at the end of the month showing flexi lost.
- l. If a member of staff feels they are being treated unfairly or wish to appeal a decision not to be granted flexi, they should approach their line manager in the first instance and then approach the CEO.

2.3 Flexi Permissions on the time clock

- a. For normal ebb and flow at the beginning and end of the day and at lunchtime, staff can simply clock in and out without permissions, but ensuring there is adequate team cover in office hours.
- b. For flexi where the flexi will take the member of staff in to core hours but which would not be deemed to be a half or full day and where the absence is planned (such as a medical appointment), the member of staff should put a flexi request through the time clock to be validated by the manager. This requires you to put in a time you expect to either arrive in the office for morning appointments, or leave the office, for afternoon appointments.
- c. For unplanned flexi, the member of staff should clock in or out and seek permission after the event in the form of a comment written on to the flexi log by their manager.

- d. For full day or half day requests, unless unplanned, the staff member must make the request via the timeclock system and have it validated by the manager prior to taking the leave. It is preferred that this request is made at least 2 working days before taking the leave and that it is verbally discussed with the manager before making the request to ensure there is enough cover in the office.

3.TOIL

- 3.1 TOIL is accumulated out with the Flexi hours and is for work that the member of staff is required to do as part of their job. Any TOIL should be pre-approved by their manager if it is not normally part of their job, for example, visits to tenants in the evening. A separate item on the time clock will record the TOIL hours, separate from the flexi hours.
- 3.2 TOIL is accumulated after the Flexi Period ends, so for example, TOIL can be claimed after 5.30pm, Monday to Wednesday; 6.30pm, Thursday; 4.30pm, Friday. However, if someone simply works beyond the Flexi Period end times where it is not sanctioned / pre-approved time by the manager, this will not be regarded as TOIL.
- 3.3 TOIL is treated differently to Flexi because it is hours that the member of staff should take after the work has been completed. The pro-rata rules for flexi do not apply to TOIL. TOIL can be taken in any denomination (eg 30 mins, 1 hour, half day or a full day).
- 3.4 It is encouraged that a member of staff takes their TOIL as soon as is reasonably practical after the event. A staff member can have a flexi day and a TOIL day within the same month (provided the rules for requesting the time off have been followed).
- 3.5 A member of staff should not carry over more than 7 hours of TOIL in any one month. If this is proving difficult because of a lot of evening or weekend work, they must speak to their Line Manager to discuss when it will be taken. It is not expected that TOIL gained in one month will be carried over longer than 3 months after the event. Cloch H.A. supports a good work/life balance and prolonged evening work should be discussed with the Line Manager to try to come to some adjustment to working hours.
- 3.6 Only in exceptional circumstances approved by the CEO and within budget, can TOIL be converted to pay. This might be because of the level of TOIL and the staff member being unable to take the TOIL (perhaps because of prolonged period of illness), but it is at the discretion of the CEO. This will not apply to the CEO. The CEO will not take paid leave in lieu of TOIL.